

JAN. 25. 2006 11:56AM

919-854-1401 MBS&S

NO. 5079 P. 1

Attorney's Docket No. 9248-6CT

**PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Simendinger et al.  
Serial No.: To Be Assigned  
Filed: January 3, 2006  
For: Thermal Barrier Composition

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Date: January 25, 2006

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Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

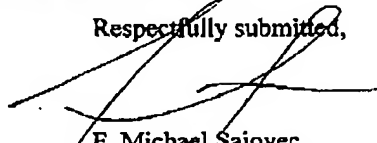
**REQUEST FOR REFUND OF FEE  
UNDER 37 C.F.R. §1.26**

Sir:

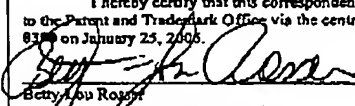
Applicants respectfully submit this Request for Refund of Fees pursuant to 37 C.F.R. §1.26 in the amount of \$500.00. On January 3, 2006, Applicants filed the application and Cover Sheet for Filing Continuation Patent Application (37 CFR §1.53(b)) with the US Patent and Trademark Office (USPTO), authorizing the USPTO to charge Deposit Account 50-0220 the filing fee (\$500.00) for small entity. The Cover Sheet failed to indicate the Applicants claiming small entity status, however the cover sheet for both the parent application (10/841,249) and the Continuation-In-Part application (10/960,666) indicated Applicants claimed small entity status.

Deposit Account 50-0220 was charged on January 6, 2006 an additional amount of \$500.00 for the filing fee for large entity, please see highlighted entry on enclosed Deposit Account Statement. Applicants submit that this charge was made in error as the filing fee for a Continuation Application whose Applicants claim small entity is \$500.00. Accordingly, please credit our Deposit Account No. 50-0220 in the amount of \$500.00 to refund this overpayment of fees.

Respectfully submitted,

  
F. Michael Sajovec  
Registration No. 31,793

Customer No. 20792  
Myers Bigel Sibley & Sajovec, P.A.  
P. O. Box 37428  
Raleigh, North Carolina 27627  
Telephone: (919) 854-1400  
Facsimile: (919) 854-1401

<p><b>CERTIFICATION OF FACSIMILE TRANSMISSION UNDER 37 CFR 1.8</b></p> <p>I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office via the central facsimile number 571-273-8300 on January 25, 2006.</p> <p> Betty Lou Rogers Date of Signature: January 25, 2006</p>
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Bk

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# United States Patent and Trademark Office

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## Deposit Account Statement

Requested Statement Month: January 2006  
 Deposit Account Number: 500220  
 Name: MYERS BIGEL SIBLEY & SAJOVEC, P.A.  
 Attention: ACCOUNTING DEPT  
 Address: P O BOX 37428  
 City: RALEIGH  
 State: NC  
 Zip: 27627  
 Country: UNITED STATES OF AMERICA

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
01/03	198	10297507	998-857	1253	\$1,020.00	\$39,419.00
01/04	5	10794680	5649-736DV	1201	\$200.00	\$39,219.00
01/04	19	PAYMENT		9203	-\$50,000.00	\$89,219.00
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01/04	21	11271352	9562-4	1051	\$130.00	\$88,959.00
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01/06 1742	78440586	325	7001	\$325.00	\$63,334.00
01/06 1804	2275514	5218-60	7205	\$200.00	\$63,134.00



Attorney Docket No. 9248-6

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Simendinger et al.

Application No.: 10/814,213

Filed: March 31, 2004

For: THERMAL BARRIER COMPOSITION

Confirmation No.: 6014

Group Art Unit: 1712

Examiner: Marc S. Zimmer

Date: January 3, 2006

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

PETITION AND FEE FOR EXTENSION OF TIME  
(37 C.F.R. § 1.136(a))

1. This is a petition for an extension of time for a total period of three (36) month(s) to respond to the Official Action dated July 8, 2005.

2. A response in connection with the matter for which this extension is requested:

☒ is filed herewith.

☐ has been filed.

3. Applicant:

☒ Claims small entity status. See 37 CFR 1.27.

☐ Does not claim small entity status.

4. Calculation of extension fee (37 C.F.R. § 1.17(a)-(d)):

Total Months Requested	Fee For Other Than Small Entity	Fee for Small Entity
<input type="checkbox"/> one month	\$120.00	\$60.00
<input type="checkbox"/> two months	\$450.00	\$225.00
<input checked="" type="checkbox"/> three months	\$1,020.00	\$510.00
<input type="checkbox"/> four months	\$1,590.00	\$795.00
<input type="checkbox"/> five months	\$2,160.00	\$1,080.00

Adjustment date: 03/16/2006 EEKUBAY1  
01/06/2006 RHEBRAHT 00000050 500220 10814213  
01 FC:2253 510.00 CR

Fee Enclosed \$ \_\_\_\_\_

01/06/2006 RHEBRAHT 00000050 500220 10814213

01 FC:2253 510.00-DA